

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**JAMES WHEELER, individually and on
behalf of all other similarly situated,**

Plaintiff,

File No. 2:17-cv-00051

Honorable Gordon J. Quist

vs.

**NATIVE COMMERCE STUDIOS, LLC.
a California Limited Liability Company,**

Defendant.

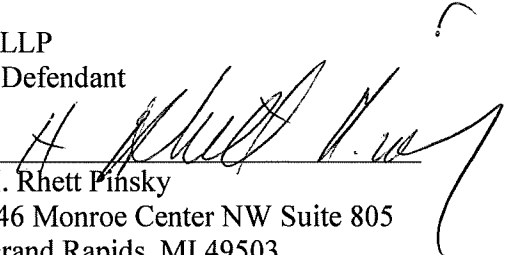
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(616) 451-8496
Attorney for Defendant _____

**DEFENDANT NATIVE COMMERCE'S MOTION TO DISMISS
THE CLASS ACTION COMPLAINT**

Pursuant to Fed. R. Civ. P. 12(b)(6) and as set forth in the accompanying memorandum of law, defendant Native Commerce Studios, LLC hereby requests that the Court dismiss plaintiff James Wheeler's class action complaint with prejudice.

PINSKY, SMITH, FAYETTE, AND KENNEDY LLP
Attorney for Defendant

Dated: August 30, 2017

By: 
H. Rhett Pinsky
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